

Message Text

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DRAFTED BY L/SCA:HRGAITHER:EDD
APPROVED BY L/M:KEMALMBORG
EUR/NE - MR. P. CANNEY

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R 232116Z MAY 75
FM SECSTATE WASHDC
TO AMEMBASSY HELSINKI
INFO AMEMBASSY OSLO

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E.O. 11652: N/A

TAGS: PFOR, FI

SUBJECT: EXTRADITION TREATY NEGOTIATIONS -- FINLAND

REF: HELSINKI 1122

1. JUNE 23 DATE FOR COMMENCEMENT OF NEGOTIATIONS ON EXTRADITION TREATY QUITE ACCEPTABLE TO DEPARTMENT.

2. DEPARTMENT'S NOTE TRANSMITTED TO FINNISH EMBASSY COUNSELOR MAY 23 AND COPY POUCHED EMBASSY HELSINKI.

3. IN VIEW OF DEPARTMENT, MAJOR ISSUE WILL BE ONE OF LEGAL AND POLITICAL OVERTONES. FINNS WISH INCLUDE AN EXCEPTION TO OBLIGATION TO EXTRADITE ALL NORDIC NATIONALS ALONG LINES U.S. AGREED TO IN NEW U.S./DANISH TREATY. SUCH A BROAD CLAUSE HAS ONLY BEEN AGREED TO IN THE ONE TREATY AND WAS DONE AS DEFINITE EXCEPTION TO GENERAL POLICY AND PRACTICE. RATIONALE FOR EXCEPTION WAS DUE TO FOLLOWING CIRCUMSTANCES: IN DENMARK THERE IS OR WAS A VERY HIGH
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NUMBER OF RESIDENT ALIENS. WE WERE INFORMED FIGURE PROBABLY EXCEEDS ONE MILLION. DANISH NATIONALITY LAW REQUIRES 14-YEAR RESIDENCE; HOWEVER, DURING THIS PERIOD RESIDENT ALIENS TREATED IN MOST RESPECTS AS DANISH NATIONALS.

DENMARK WISHED, FOR HUMANITARIAN AND POLICY REASONS, TO HAVE EXCEPTION APPLY ALL ALIENS RESIDENT IN DENMARK. U.S. UNABLE ACCEPT SUCH A BROAD CLAUSE WHICH COULD COVER U.S. CITIZENS. DENMARK THEN PROPOSED LIMITING CLAUSE TO NORDIC NATIONALS TO WHICH U.S. RELUCTANTLY AGREED. DEPARTMENT DOES NOT SEE EXISTENCE OF SIMILAR CIRCUMSTANCES IN FINLAND AND NOTE INDICATES WE NOT PREPARED ACCEPT SIMILAR CLAUSE. WE NOTED SWEDISH TREATY DOES NOT HAVE SIMILAR PROVISION (ALTHOUGH IT WAS PRESSED FOR BY SWEDES). TREATY WITH NORWAY DOES NOT HAVE IT EITHER; HOWEVER, NORWEGIANS HAVE PROPOSED NEGOTIATIONS AND WISH DANISH TYPE CLAUSE. WE HAVE TOLD NORWEGIANS THAT WE UNABLE AGREE.

4. DEPARTMENT OF VIEW THAT IT MAY BE DIFFICULT FOR FINNS TO ACCEPT U.S. POSITION. HOWEVER, WE WILL DO WHATEVER WE CAN TO SUPPLY POLITICAL AND LEGAL ARGUMENTATION FOR FINNISH RATIFICATION PROCESS. DEPARTMENT WOULD APPRECIATE ANY INPUT OR SUGGESTIONS EMBASSY MIGHT HAVE RE THIS ISSUE.

5. DEPARTMENT, ON BASIS EXPERIENCE AND STATEMENT FINNISH EMBOFF, ASSUMES FINNISH POSITION WILL BE COORDINATED WITH NORDIC COUNTRIES, PARTICULARLY NORWAY, AND DEPARTMENT HAS AND WILL CONTINUE TO TAKE SAME APPROACH UNIFORMLY. KISSINGER

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